

C.C.R.B CASE CLOSING FORM

Investigator assigned: Brendan Matz		Team: 1	CCRB#: 9805488	<input type="checkbox"/> Force <input type="checkbox"/> Discourtesy <input type="checkbox"/> Abuse <input checked="" type="checkbox"/> O.L. <input type="checkbox"/> Injury
Date of incident: 12/12/98	Time of incident: 7:05 PM	Location of incident: § 87(2)(b) § 87(2)(b)	Pct. of occurrence: 044	Date S.O.L. Expires: 06/01/00
Date reported: 12/28/98	Time reported: 9:45 PM	To whom/where/how reported: <i>Complainant called the 44th precinct Made by phone to command 501</i>		
Complainant: § 87(2)(b)		Home address: § 87(2)(b)		
Victim(s): § 87(2)(b)		Home address: § 87(2)(b)		
Witness(es): N/A		Home address:		
Subject officer(s) (include rank): POM Gibbs POM Anthony		Shield: 09620 18212	Tax: 906330 889508	Command: 044 PCT 044 PCT
Witness officer(s) (include rank): N/A		Shield:	Tax:	Command:
Allegation(s) by letter: A. PO Gibbs was offensive when he refused to allow § 87(2)(b) to ride in the RMP following her robbery complaint because of her race, in violation of PG 104-1, p. 31. B. PO Anthony was offensive when he refused to allow § 87(2)(b) to ride in the RMP following her robbery complaint because of her race, in violation of PG 104-1, p.31.				Recommendation(s): A. § 87(2)(g) B. § 87(2)(g)

Synopsis

§ 87(2)(g) Team manager James Tomlinson reviewed the tape-recording of the conversation between complainant § 87(2)(b) and Investigator Matz. A withdrawal form with self-addressed envelope was sent to the complainant, but she had not signed and returned the form at the time of this report. § 87(2)(g)

Summary of Complaint

§ 87(2)(b), complainant and victim in the above-referenced case, states that on 12/12/98 at approximately 7:05 PM, in the vicinity of § 87(2)(b) in the Bronx, PO Gibbs and PO Anthony responded

to her robbery complaint but refused to allow her to ride in the RMP to search the area. She states that she believes the request was refused because she is black.

Results of Investigation

The above-referenced complaint was initially phoned in by the complainant and victim, § 87(2)(b), to the 044 precinct on 12/12/98 at approximately 10:05 PM. At approximately 10:30 PM on 12/12/98, § 87(2)(b) came in person to the 044 precinct to withdraw her complaint. However, the complaint had already been recorded and relayed to the CCRB Complaint Response Unit, where a 245 form was generated.

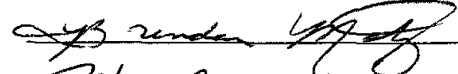
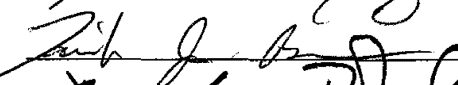


Upon contacting § 87(2)(b) at work on 12/29/98, it was learned that the complainant did indeed want to withdraw the complaint. § 87(2)(b) states that her withdrawal is being made freely and on her own accord, without any fear of retaliation. The withdrawal was recorded on tape # 9805488, side A.

On 12/30/98 a letter of withdrawal with self-addressed envelope was sent to § 87(2)(b). The complainant had not signed and returned the withdrawal letter at the time of this report.

Conclusions and Recommendations

§ 87(2)(g)

§ 87(2)(g)

Investigator:		Date:	<u>1/15/99</u>
Supervisor:		Date:	<u>1/20/99</u>
Reviewed by:		Date:	<u>1/21/99</u>
Reviewed by:		Date:	